

Public Chapter 420

SENATE BILL NO. 1680

**By Person, Williams, Elsea, McNally, Atchley, Jordan, Koella, Haun, Carter,
Ramsey, Leatherwood, Gilbert, Miller**

Substituted for: House Bill No. 1255

By Walley, Haley, Hargett, Pleasant, McDaniel, Stamps, Ford, Wood, Patton, Clabough,
Kerr, Beavers, Kent, Bird, McKee, Newton, Scroggs, Walker, McAfee, Mumpower,
Roach, Boyer, Caldwell

AN ACT To amend Tennessee Code Annotated, Section 63-2-101, relative to the release
of medical records in conjunction with the immunization program of the
Department of Health.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-2-101, is amended by
adding the following language as new, appropriately designated subsections.

() To further the effectiveness of the immunization program of the
Department of Health, a physician who provides information to the Department of
Health regarding a child's immunization status for any of the following purposes
shall not be subject to liability or cause of action or a claim of any nature,
including any licensing board disciplinary action, arising solely from the
disclosure of information concerning such child's immunization status:

(1) compliance with the laws regarding child care and school
attendance;

(2) insuring that a child receives such immunization as is
medically appropriate or assisting in efforts to insure a child is
appropriately immunized;

(3) providing immunization information to the immunization
registry maintained by the Department of Health;

(4) insuring compliance with the provisions of the Families First
Act; or

(5) providing information which will allow the Department of
Health to determine immunization levels in Tennessee.

() All information received by the Department of Health pursuant to this
part from any source shall be confidential and unavailable to the public. Contact
of a parent or guardian of a child by the Department of Health regarding the

child's immunization status as the result of the department's contact with the physician shall not be held to be a breach of confidentiality by the reporting physician.

SECTION 2. Tennessee Code Annotated, Section 63-2-101, is further amended by adding the following as a new subsection:

The names of all children shall be included on the immunization registry established by Tennessee Code Annotated, Title 37, Chapter 10, Part 4, unless such child's custodial parent or guardian objects to the inclusion of the child's name on the immunization registry to the department. The department shall notify the child's custodial parent or guardian in writing within six months of the child's birth that inclusion on the immunization registry is not mandatory. Upon such written or oral request of exclusion by the child's custodial parent or guardian, the department shall either remove the child's name from the immunization registry or refrain from adding the child's name to the immunization registry and confirm in writing to the child's custodial parent or guardian that the child's name has been excluded from the immunization registry.

SECTION 3. This act shall take effect immediately upon passage, the public welfare requiring it.